

2005 SENATE BILL 493

1 **AN ACT** *to amend* 938.38 (5) (a) of the statutes; **relating to:** the frequency of
2 permanency plan reviews for a juvenile who is placed outside the home
3 (suggested as remedial legislation by the Director of State Courts).

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Director of State Courts and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

4 **SECTION 1.** 938.38 (5) (a) of the statutes is amended to read:
5 938.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel
6 appointed under par. (ag) shall review the permanency plan in the manner provided
7 in this subsection not later than 6 months after the date on which the juvenile was

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1 first removed from his or her home and every ~~12~~ 6 months after a previous review
2 under this subsection for as long as the juvenile is placed outside the home, except
3 that for the review that is required to be conducted not later than 12 months after
4 the juvenile was first removed from his or her home and the reviews that are required
5 to be conducted every 12 months after that review the court shall hold a hearing
6 under sub. (5m) to review the permanency plan, which hearing may be instead of or
7 in addition to the review under this subsection.

NOTE: According to the Director of State Courts, this amendment of the frequency of permanency plan reviews makes this provision consistent with current practice, current federal law (see 45 CFR 1355.34 (c) (2)), and the corresponding provision under the Children's Code (s. 48.38 (5) (a), stats.).

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(END)